

Appendix E

COMMUNITY GUIDE

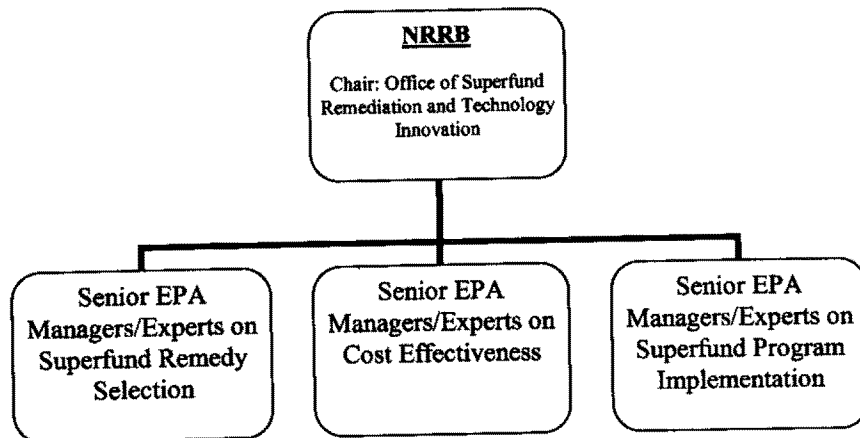
The National Remedy Review Board (NRRB) **A Community Guide**

Why does EPA have a NRRB?

The National Remedy Review Board (NRRB) review is an internal EPA process that is intended to help control remedy costs and to promote both consistent and cost-effective decisions. The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) mandates that, in addition to being protective, all remedies must be cost-effective.

What is the NRRB and who is a member?

The Board is a technical and policy review group made up of Agency staff that has experience with both regional and headquarters perspectives in the Superfund remedy selection process.



What does the NRRB do?

The overall goal of the NRRB review is to ensure sound decision making consistent with current law, regulations, and guidance.

The NRRB considers five factors when making recommendations to achieve this goal:

- the nature of the site;
- risks posed by the site;
- regional, state, tribal and potentially responsible party opinions on proposed actions;
- the quality and reasonableness of the cost estimates; and
- any other relevant factors or program guidance in making advisory recommendations.

How does a NRRB review work?

The documents prepared for the NRRB, and its meetings are part of EPA's internal process and are not open to the general public. Reviews generally occur before the region issues the proposed plan. The intent of this early Board review is to offer a critical discussion on key remedy selection and cost effectiveness issues before the Agency formalizes its position on a preferred cleanup strategy that is then presented as a proposed plan for public comment.

How can the community be involved in the NRRB process?

The NRRB and its current process do not alter existing mechanisms for potentially-responsible party (PRP) and stakeholder involvement in the remedy selection process. Those PRP and stakeholder groups that have not been working closely with the Agency early in the remedy selection process will still have the opportunity to comment formally on the proposed action during the proposed plan comment period. However, since this is an EPA internal deliberative process, PRP and stakeholder groups are not involved in any direct discussions with the NRRB nor are they involved in NRRB meetings or pre-meeting calls.

At sites where EPA has awarded a Technical Assistance Grant (TAG) or recognized a Community Advisory Group (CAG), the site manager should notify them of the pending review. The Region should offer the TAG/CAG groups an opportunity to provide a technical summary. Where the site manager has established close working relationships with other stakeholder groups early in the RI/FS process, the site manager may also offer these groups the opportunity to submit written technical comments. The PRPs at a site are also offered an opportunity to submit written technical comments.

The stakeholder's and PRP's summaries are attached to the site information package submitted to the NRRB for review.

What role do tribal representatives and States have in the NRRB process?

For each site, the site manager is responsible for inviting appropriate tribal representatives to participate in the presentation plus question and answer portions of the NRRB meeting. Typically, these representatives do not participate in the deliberative discussion; which the NRRB normally limits to EPA personnel; however, the tribal representatives may be invited to participate for a portion of the deliberations where the site is a tribal-lead fund financed decision or tribal-lead enforcement decision where tribal representatives seek EPA concurrence. Historically, tribal representatives have not been present for the NRRB's deliberative discussions. Tribal representatives are also offered the opportunity to summarize their technical issues. In addition, States are offered the same level of participation.

What happens once the NRRB makes a recommendation?

The NRRB typically issues its recommendations in the form of a memorandum from the Board chair to the appropriate regional division director. Regions are requested to provide a response to the Board's recommendations by the time the proposed plan is released for public comment. At that point, the region should place both memoranda in the appropriate site administrative record and information repository.

Where can I find a record of the NRRB reviews?

The Agency expects to make the Board recommendations and the regional response available publicly as soon as it is reasonable and appropriate to do so. Generally, Board recommendations will be posted on the website (<http://www.epa.gov/superfund/programs/nrrb/>) within thirty days of signature.